



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



LETTER OF DEFICIENCY
WD WWEB/S 03-06
August 12, 2003

James P Varney
Varney Septic & Portable Toilets
R R 1 Box 193H Stonewall Road
Alton NH 03809

Subject: Unpermitted septage hauling vehicles

Dear Mr. Varney:

On Tuesday, July 29 while conducting vehicle inspections at the South Berwick, ME WWTF, DES personnel discovered septage discharge records numbered 09291 thru 09297, 09306, and 09308 thru 09310 for the month of July from your company totaling over 30,000 gallons. Currently you are not permitted to haul septage in New Hampshire, as your permits expired on January 31, 2003. Env-Ws 1604.01 states "no person shall transport septage on public roads without first obtaining a septage hauler permit from the department." Unpermitted vehicles must not be operated until permits are issued. Illegal practices may incur fines up to \$1,000 per violation.

DES believes the deficiencies cited can be immediately corrected by Varney Septic & Portable Toilets **ceasing** septage management practices until appropriate permits are obtained. Please complete the enclosed septage hauler application and return it to DES to obtain the permits. Be sure to enclose the necessary payment made payable to: Treasurer-State of NH in the amount of \$100 per tank. Please add \$5 for each NHDES blue permit plate required.

The form as requested above should be delivered to: Timothy D. Sweatt
Residuals Management Section
NHDES Water Division
P.O. Box 95 6 Hazen Drive
Concord, NH 03302-0095

This Letter Of Deficiency does not preclude DES from initiating formal actions, including issuing an order requiring the deficiency to be corrected, and/or initiating an administrative fine proceeding. If you have any questions regarding this letter, please call Tim Sweatt at (603) 271-2492 or Alexis Rastorguyeff at (603) 271-7888.

Sincerely,

COPY
John R. Bush, P.E.
Administrator
Wastewater Engineering Bureau

cc: file/db
Alexis Rastorguyeff, P.E. – RMS
Richard Flanders – RMS Supervisor
Harry Stewart, P.E. – Director WD
Mark Harbaugh – DES Legal